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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PENDLETON DIVISION

**ESTATE OF MITILDIT LAKO, by and
through its Personal Representative Entela
Lako,**

Plaintiff,

v.

**SUPERIOR TOWING, INC.; SAMUEL
GOEDHART TRUCKING; and SAMUEL
GOEDHART;**

Defendants.

Case No. 2:18-cv-01810-SU

**FIRST AMENDED COMPLAINT – Action
for Law for Wrongful Death and punitive
damages**

DEMAND FOR JURY TRIAL

Plaintiff alleges:

1.

At all times mentioned, Entela Lako is the wife and duly appointed Personal Representative for the estate of her deceased husband, Mitildit Lako, who died on August 12, 2018.

2.

At all times mentioned, defendant Samuel Goedhart Trucking, was an Idaho assumed business name for defendant Samuel Goedhart. The Goedhart defendants were conducting regular

and sustained business activity within the state of Oregon and operated the truck and trailer in question. At all times, defendant Samuel Goedhart was working in the course and scope of his employment for defendant Samuel Goedhart Trucking and was the actual and/or apparent agent.

3.

At all times mentioned, Entela Lako and Mitildit Lako were residents of the state of Illinois and this Court has jurisdiction pursuant to 28 USC § 1332. The amount in controversy exceeds the minimum jurisdictional requirements.

4.

On or about August 12, 2018, defendant Samuel Goedhart was operating the 1990 Kenworth semitruck when, as a result of his negligence, he collided with the rear of the plaintiff's vehicle causing the death of Mitildit Lako.

5.

As the result of the defendants' negligence, the estate of Mitildit Lako has incurred economic and noneconomic damages in the amount of \$6 Million.

6.

At the time of the collision in question, the defendant Samuel Goedhart was operating the semitruck in question while distracted and acted with wanton misconduct and with deliberate disregard for Mitildit Lako.

7.

As a result of the defendants' actions, Mitildit Lako's estate is entitled to an award of damages in a reasonable amount to be determined by a jury at trial.

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WHEREFORE, plaintiff prays for economic and noneconomic judgment against the defendants, and each of them, in the amount of \$6 Million. Plaintiff also asks for an award of punitive damages in an amount to be determined by the jury at the time of trial.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ P. 38, plaintiff demands trial by jury in this action on all issues triable by a jury.

DATED this 12th day of December, 2018.

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